

UNITED STATES DISTRICT COURT

for the
Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 28, 2024

SEAN F. McAVOY, CLERK

PENNY GARDNER ,
(f/k/a Penny Rodriguez),

Plaintiff

v.

ISRAEL RODRIGUEZ and
STATE OF WASHINGTON, et al.,

Defendant

Civil Action No. 2:22-CV-0144-TOR

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus post judgment interest at the rate of _____ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____

☒ other: The State Defendants' Motion for Summary Judgment (ECF No. 84) is GRANTED, and Plaintiff's Motion for Summary Judgment (ECF No. 96) is DENIED. All claims against the State and its agencies are DISMISSED with prejudice. The Court declines to reach Defendant Rodriguez's Motion for Summary Judgment (ECF No. 92) as it lacks supplemental jurisdiction over the remaining claims. This matter is REMANDED to Spokane County Superior Court for all further proceedings on the state law claims against Defendant Rodriguez.

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by Judge THOMAS O. RICE
on the parties' cross-motions for summary judgment (ECF Nos. 84, 96).

Date: March 28, 2024

CLERK OF COURT

SEAN F. McAVOYs/ B. Fortenberry

(By) Deputy Clerk

B. Fortenberry